

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA

v.

Case No. 1:19-cr-260

The Honorable T.S. Ellis

FREDY FABIAN ALFARO

**DEFENDANT'S MOTION TO JOIN AND ADOPT THE REASONING AND
ARGUMENTS OF CO-DEFENDANT JIMMY MCCRAY'S ADDENDUM TO POSITION
WITH RESPECT TO SENTENCING**

Defendant Fredy Fabian Alfaro respectfully moves to join and adopt the reasoning and arguments presented in co-defendant Jimmy McCray's Addendum to Position with Respect to Sentencing (Doc. No. 174). In the co-defendant's addendum, he argues that the second degree murder guideline should apply to this matter. Both defendants are charged with and pled guilty to the same offenses (i.e. violations of 21 U.S.C. § § 841 and 846 (j) and 18 U.S.C. §§ 924(j)), agreed to the same essential facts, and the arguments made by co-defendant McCray are likewise applicable to Mr. Alfaro's sentencing guidelines' determination.

Based on the foregoing, in addition the arguments in Defendant's Position on Sentencing (Doc. No. 169) concerning the application of the second degree murder guideline, he respectfully requests that his motion be granted. A proposed order is attached.

Respectfully submitted,
FREDY FABIAN ALFARO
By counsel

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CERTIFICATE OF SERVICE

I hereby certify that a copy of this pleading and proposed order were filed through the ECF system this 5th day of November, 2020, which will provide notice to counsel of record.

/s/ Joseph King

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